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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/368,635	08/04/1999	MARTIN F. ARLITT	10981718-1	5764

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EXAMINER

WOO, ISAAC M

ART UNIT	PAPER NUMBER
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2166

MAIL DATE	DELIVERY MODE
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07/10/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	09/368,635	ARLITT ET AL.
	Examiner	Art Unit
	Isaac M. Woo	2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 20 April 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,3-7 and 16-44 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) _____ is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) 1, 3-7 and 16-44 are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application
- 6) Other: _____

DETAILED ACTION

1. This action is in response to Applicant's amendment, filed on April 20, 2007 have been considered but are deemed moot because of Restrictions Request below.
2. Claims 2 and 8-15 are canceled. Claims 16-44 are newly added, which necessitates restriction request below. Claims 1, 3-7 and 16-44 are pending.

Election/Restrictions

3. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even through the requirement be traversed (37 CFR 1.143). Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1 and 3-7, drawn to a system for a subscription manager in the content server for specifying all of the proxy servers that are subscribed to a content file stored in the content server, wherein the subscription manager generates a subscription list that specifies all of the subscribed proxy servers that cache the content file when the subscription manager is notified by each of the proxy servers that it has cached the content file; and a consistency manager also in the content server for notifying all of so subscribed proxy servers that cache the content file when the content file

is updated in the content server to discard the cached content file from those proxy servers, which is specifying subscription list and notifying updating to proxy servers to update via network, classified in class 709, subclass 220.

- II. Claims 16-29 and 41-44, drawn to a content server for an engine configured to receive a content request from one or more proxy servers via a network, and configured to transmit a content corresponding to the content request to each of the one or more proxy servers that has made the content request via the network, which is requesting data accessing via network, classified in class 709, subclass 217.
- III. Claims 30-40, drawn to a proxy server for configured to receive the content from content server, and configured to cache the content received from the content server in a cache storage; a subscription manager configured to send a subscription request, via the network, corresponding to the content to the content server, wherein the subscription request is a separate request from the content request, which is caching data, classified in class 711, subclass 118.

4. The inventions are distinct, each from the other because of the following reasons:
Inventions I, II and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instance case, invention I can be used for a subscription manager in the content server for specifying all of the proxy servers

that are subscribed to a content file stored in the content server, wherein the subscription manager generates a subscription list that specifies all of the subscribed proxy servers that cache the content file when the subscription manager is notified by each of the proxy servers that it has cached the content file; and a consistency manager also in the content server for notifying all of so subscribed proxy servers that cache the content file when the content file is updated in the content server to discard the cached content file from those proxy servers, which is specifying subscription list and notifying updating to proxy servers to update via network. Invention II can be used for an engine configured to receive a content request from one or more proxy servers via a network, and configured to transmit a content corresponding to the content request to each of the one or more proxy servers that has made the content request via the network, which is requesting data accessing via network. Invention III can be used for configured to receive the content from content server, and configured to cache the content received from the content server in a cache storage; a subscription manager configured to send a subscription request, via the network, corresponding to the content to the content server, wherein the subscription request is a separate request from the content request, which is caching data .See MPEP 806.05(d).

5. Because these inventions are distinct for reasons given above and have acquired separate status in the art as shown their different classification, restriction for examination purpose as indicated is proper.

6. Because these inventions are distinct for the reasons given above and the search required for Group I, II are not required for Group III each other, restriction for examination purposes as indicated is proper.
7. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.
8. Applicants are advised that the reply to this requirement to be complete must include an election of the invention to be examined even through the requirement be traversed (37 CFR 1.143).
9. Applicants is reminded that upon the cancellation of claims to be non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48 (b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48 (b) and by the fee required under 37 CFR 1.17 (i).

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M. Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Isaac Woo
July 5, 2007